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Attorneys for Defendant Volvo Cars of
North America, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK DIVISION**

THERESA JENNER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

VOLVO CARS OF NORTH AMERICA,
LLC,

Defendant.

Civil Action No. 2:15-cv-06152-CCC-JBC

**DEFENDANT'S NOTICE OF MOTION
AND MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED
COMPLAINT**

HEARING DATE: SEPTEMBER 16, 2016

ORAL ARGUMENT REQUESTED

To Plaintiff's Counsel:

PLEASE TAKE NOTICE that, on September 16, 2016, or as soon thereafter as counsel may be heard, Defendant Volvo Cars of North America, LLC ("Volvo") will move, by and through its undersigned counsel, before the Honorable Claire C. Cecchi at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey, for an Order granting its motion to dismiss all Counts in the First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and to dismiss Counts I, III, and IV pursuant to Fed. R. Civ. P. 9(b).

PLEASE TAKE FURTHER NOTICE that in support of these motions, Volvo will rely on the Memorandum in Support.

Dated: August 8, 2016

Respectfully submitted,

By: s/ Paul Daly

Paul Daly

Mark S. Kundla

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Attorneys for Defendant,

Volvo Cars of North America, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 8, 2016, I electronically filed the foregoing **DEFENDANT'S NOTICE OF MOTION AND MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following email addresses:

Joseph Alan Venti
joeventi@wcblegal.com

s/ Paul Daly _____